

# JULY 22, 2008

Common Council Minutes

Council Chambers, Public Safety Building

Mayor Helen J. Johnson presided at a Regular Meeting of the Common Council of the City of Stoughton, Dane County, Wisconsin, held in the Council Chambers, Public Safety Building, on Tuesday, July 22, 2008 at 7:00 p.m.

City Clerk Alme called the roll and the following Alderpersons were present: Carter, Chenoweth, Christianson, Griffin, Jenson, Lawrence, McKichan, Odland, Scovotti, Swangstu, Tone and Weiss.

Moved by Lawrence, seconded by Scovotti, to approve the Utilities Claims as recommended by the Utilities Committee in the amount of \$1,168,280.33. Motion carried unanimously on roll call.

Communications: Alderperson Scovotti reminded everyone that the Taste of Stoughton, Sidewalk Sale and Fine Artsy Fair will take place this weekend.

Public Comment Period: Chuck Haase, 529 E. Main Street – spoke on the Wisconsin Southern Railroad.

Moved by Lawrence, seconded by Carter, to approve the following consent agenda items as presented: Minutes of Council Meeting of July 8, 2008; June 2008 Treasurer's Report and Contingency Account Status; the following reports: Arts Council(2), Planning Commission, Preserve America Committee, Committee of the Whole, Community Affairs/Council Policy Committee, Finance Committee, Redevelopment Authority, Library Board, Public Works Committee, Utilities Committee, Senior Center Report, Planning Department Report, Utilities Correspondence; reschedule September 9, 2008 Council Meeting to September 10, 2008 per section 2-32 due to Partisan Primary Election Day; Public Works recommendation to approve a request to close South Division Street (Main Street to Alley) for the Taste of Stoughton on July 26, 2008 from 6:00 am to 6:00 pm.

Moved by Scovotti, seconded by Weiss, to suspend the "Class B" Beer and Liquor License held by Danny K. Aaberg, dba Whatever Bar, at 508 East Main Street for a period of 90 days beginning at midnight on July 29, 2008 through midnight on October 27, 2008. Motion carried unanimously on roll call.

Mayor Johnson closed the regular meeting and opened a public hearing to consider the repeal and recreation of Section 70-14 regarding alternate side parking. The following persons registered and spoke: Marilyn Seier, 127 Manilla Street – in opposition; Gary Locke, 509 Nordic Trail –in opposition. The following person registered and did not speak: Lois Quale, 119 N. Division Street – in opposition. Alderperson Lawrence read statements from Larry Eifert, 606 Harding Street - in opposition and Carl Povlick, 126 East Washington Street – in opposition. Mayor Johnson closed the public hearing and re-opened the meeting for the regular course of business.

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Moved by Scovotti, seconded by McKichan, to adopt an ordinance to repeal and recreate Section 70-14 - Alternate Side Parking and Snow Emergency Parking, as presented.

Moved by Scovotti, seconded by Lawrence, to table and refer the repeal and recreation of Section 70-14 regarding alternate side parking and snow emergency parking back to Public Safety Committee for further review. Motion failed 3-9 on roll call with Alderpersons Carter, Chenoweth, Christianson, Griffin, Jenson, Lawrence, Odland, Swangstu and Tone voting noe.

Original motion to adopt the ordinance failed 3-9 on roll call with Alderpersons Carter, Chenoweth, Christianson, Griffin, Jenson, Lawrence, Odland, Swangstu and Tone voting noe.

Moved by Scovotti, seconded by Christianson, to allow the Stoughton Area Baseball Association to sell concessions and beer during the City softball tournament beginning on August 11, 2008 and running week nights until completion (approximately two weeks). Motion carried unanimously on roll call.

Moved by Griffin, seconded by McKichan, to table the proposed changes to the contract with the Stoughton Junior Fair Board. Motion carried unanimously by acclamation.

Moved by Lawrence, seconded by Chenoweth, to adopt a resolution regarding Wisconsin Energy Independent Community, as presented. Motion carried 9-3 on roll call with Alderpersons Carter, McKichan and Scovotti voting noe.

## **R - 22 - 08**

### **WISCONSIN ENERGY INDEPENDENT COMMUNITY**

WHEREAS, the City of Stoughton, through Stoughton Utilities, serves the electrical needs within Stoughton, and throughout its service territory in Dunkirk, Dunn, Pleasant Springs and Rutland Townships, and

WHEREAS, Stoughton Utilities is encouraging and promoting the use of electricity and transportation renewable resources, and

WHEREAS, the Wisconsin Office of Energy Independence encourages the use of 25% of renewable energy through the Wisconsin Energy Independent Community Partnership initiative by 2025 (25X25),

NOW, THEREFORE, BE IT RESOLVED, that the City of Stoughton hereby adopts the Wisconsin Energy Independent Community 25X25 Partnership.

This is to certify that the foregoing resolution was duly adopted by the Common Council of the City of Stoughton at a regular meeting held on the 22<sup>nd</sup> day of July 2008.

Moved by Christianson, seconded by Chenoweth, to adopt a resolution supporting long-term capital plan for strategic investments in publicly-owned railroad infrastructure in Wisconsin, as presented. Motion carried unanimously on roll call.

**Resolution Supporting Long-Term Capital Plan for Strategic Investments  
in Publicly-Owned Railroad Infrastructure in Wisconsin**

**R- 23 -08**

**The City of Stoughton, WI directs this resolution to Governor Doyle, Transportation Secretary Frank Busalacchi, Senator Mark Miller and Representative Gary Hebl**

***WHEREAS***, the State of Wisconsin in participation with seventeen Southern Wisconsin counties including Dane County, jointly own railroad infrastructure throughout the state, including a rail corridor between Madison and Janesville, WI, intersecting the City of Stoughton, WI, and

***WHEREAS***, a viable railroad system is critical to the safe and efficient transportation of raw materials and finished product throughout the State of Wisconsin and remains an economic lifeline to the nations railroad system, and

***WHEREAS***, the City of Stoughton is currently undergoing community and economic development planning and views rail as a viable transportation resource and a community asset today and into the future, and

***WHEREAS***, the Wisconsin & Southern Railroad Co. (WSOR) had 2 major derailments in the same vicinity of each other in the Town of Fulton on said rail line, both of which were caused by aged and defective rail, and

***WHEREAS***, town & county officials and local citizens are concerned for their future safety, and

***WHEREAS***, funding for capital projects on publicly-owned railroad corridors comes from Wisconsin's Freight Railroad Preservation Program (FRPP), which provides 80% funding for eligible projects with the remaining 20% coming from WSOR and participating county governments, and

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***WHEREAS***, the 2007/2009 State Budget included grant funding for only phase one “tie replacement” upgrade work, of which WSOR crews are currently undergoing at this time, and

***WHEREAS***, in order to conduct phase two improvements in a timely manner that does not further impair public safety, the WSOR proposes the State of Wisconsin increase its FRPP funding level to \$42 Million or \$21 Million per year for the 2009/2011 biennial budget, and

***WHEREAS***, if approved in the 2009/2011 biennial budget, Dane County and the WSOR could begin phase two improvements as early as June 2009, and

***THEREFORE IT IS HEREBY RESOLVED:*** The City of Stoughton **fully supports** the efforts of the WSOR to undertake strategic investments in railroad infrastructure in Rock and Dane Counties and further endorses WSOR’s proposal to increase **FRPP funding to \$42 million in the 2009/2011 Biennial Budget.**

This is to certify that the foregoing resolution was duly adopted by the Common Council of the City of Stoughton at a regular meeting held on the 22<sup>nd</sup> day of July 2008.

Moved by Griffin, seconded by Scovotti, to approve a parkland impact fee study proposal by Ruekert-Mielke, not to exceed \$6,500. Motion carried unanimously on roll call.

Moved by Griffin, seconded by Scovotti, to approve a budget amendment adding \$1,500 from the parkland development fund to the originally budgeted \$5,000 for the parkland impact fee study. Motion carried unanimously on roll call.

Moved by Lawrence, seconded by Scovotti, to adjourn the meeting at 8:13 p.m. Motion carried unanimously by acclamation.

Respectfully submitted,  
Luann J. Alme  
City Clerk/Personnel Director